

EXHIBIT 42

The Washington Post

Fact Checker

Trump supporters' false claim that Trump U judge is a member of a pro-immigrant group

By **Michelle Ye Hee Lee** June 7, 2016

“Trump’s complaints about the judge and the law firm in the Trump University case are valid and reflect a growing pattern of politicized ‘justice.’ Criticizing the judge for his membership in a radical La Raza San Diego group would have been legitimate. Focusing on ethnicity was not.”

— **Former House speaker Newt Gingrich (R-Ga.), interview with The Washington Post, June 6**

Gingrich, a Donald Trump supporter, has been critical of the Republican presidential candidate’s racially charged remarks about the federal judge presiding over the Trump University case. Trump continues to say that U.S. District Judge Gonzalo Curiel, who was born in Indiana, is biased against him because of Curiel’s Mexican heritage and Trump’s border security proposals, including building a wall. Gingrich has called such claims “inexcusable” and “one of the worst mistakes Trump has made.”

In an interview with The Post, the former House speaker repeated a widely debunked claim perpetrated by Trump's supporters and surrogates to argue that Curiel is a liberal judge playing identity politics through the Trump University case. Gingrich described Curiel's membership in a "radical" La Raza group in San Diego, suggesting that the group is affiliated with a well-known pro-immigrant group with a similar name.

So let's debunk this once and for all — and along the way, check out some of the new claims about this group's alleged connections to illegal immigration advocacy.

The Facts

As The Post and other media outlets have pointed out repeatedly, Curiel is a member of the San Diego La Raza Lawyers Association, which is a professional organization for Latino lawyers. The group is the San Diego local affiliate of the California La Raza Lawyers Association, whose membership comprises lawyers practicing in California, and is a 501(c)(6) nonprofit trade organization. It has an affiliated 501(c)(3) scholarship fund that awarded 22 scholarships totaling \$34,000 in 2014. More on that later.

This group is not the National Council of La Raza, the Hispanic civil rights nonprofit organization that has pushed for comprehensive immigration reform in Congress with a pathway to citizenship and legalization for undocumented immigrants. It's often referred to as simply "La Raza," especially in the context of the immigration debate.

To recap this simple fact: San Diego La Raza Lawyers Association ≠ National Council of La Raza.

When Trump began his public tirade against Curiel, Trump campaign spokeswoman Katrina Pierson and other supporters conflated the two groups, which both use "La Raza." But now, even conservative groups have acknowledged that they are separate organizations.

A literal translation for “La Raza” is “the race,” but it’s interpreted as a broader term describing the Latino community. Opponents of immigration note that the term has roots in the Chicano nationalization movement of the 1960s. But “La Raza” is a common name incorporated throughout the community and often used by Latino organizations and businesses, including restaurants and medical clinics. A search for “la raza” on yellowpages.com turned up more than 3,000 results in California alone.

“The only tie that we have is that we serve the Latino community, and they do as well,” said Luis Osuna, president of the lawyers association. “But they’re a politically driven advocacy group, and we’re just a local diversity Bar association that focuses on both diversity and equality in the legal field, but particularly among Latinos.”

Lisa Navarette, a spokeswoman for the National Council of La Raza, confirmed this, saying: “The two organizations know of each other but are two completely separate organizations, and nothing wrong with either organization. The judge is not a member of NCLR, but there wouldn’t be any issue if he was.”

Still, Trump’s supporters and surrogates continue to draw misleading ties between the lawyers organization and the National Council of La Raza and advocacy for legalizing undocumented immigrants.

The latest criticism is that the group considers the National Council of La Raza and other pro-immigrant organizations a part of its “community,” as evidenced by a list of organizations on its website under the heading “Community.” But that’s a real stretch. Another misleading claim is that the organization gave a scholarship to an undocumented student in 2014, when Curiel served on the scholarship selection committee. In reality, the student identified himself as undocumented only after he was selected for a scholarship.

The list of Web links is a resource to people who visit the website looking for

information and services the organization doesn't provide, Osuna said. It includes links to groups, such as the San Diego Latino Film Festival, a domestic violence program, legal aid society, the San Diego Superior Court and resources for victims of human trafficking.

As for the scholarship, one of the recipients of a 2014 scholarship from the San Diego La Raza Lawyers Association Scholarship Fund was a part-time law student who identified himself as undocumented — after he received the award. The student received a \$1,500 scholarship and wrote in his bio that he emigrated to America at age 11, and that he “wishes to someday tell any student struggling with higher education, ‘Look, a boy from Oaxaca, who did not know English and is undocumented has now graduated from law school and is an attorney.’” Curiel was one of 10 people on the scholarship selection committee.

The California Supreme Court has ruled that undocumented immigrants can be admitted to the state bar as long as they have fulfilled requirements to practice law in the state, effective January 2014. The organization does not ask applicants for their citizenship status, and the student identified as undocumented when he wrote his bio for an event program, Osuna said.

“We give [scholarships] to Latino students. It's not as if being undocumented is a prerequisite or a question asked in the application,” he said.

[Update: After the fact-check published, a spokesman for Gingrich responded to our request for explanation, saying Gingrich did not conflate National Council of La Raza with the San Diego La Raza Lawyers Association “because there is no need,” as both groups are “radical.”

We asked what constituted “radical” activities, and the spokesman said the lawyer group was affiliated with two groups that have advocated for pro-immigrant policies (Hispanic National Bar Association and the Mexican American Legal Defense), as shown by their names appearing on the “Community” section online. The lawyer group also linked to those two

organization's news releases and hosted events featuring their leaders, he said.

Neither the Hispanic National Bar Association nor the Mexican American Legal Defense has an official affiliation directly with the San Diego La Raza Lawyers Association. However, the lawyers group has paid to be an affiliate member of the Hispanic National Bar Association in the past. Still, as we noted, listing other pro-immigrant organizations under the San Diego lawyers association's "Community" section as a resource doesn't prove that the lawyers group itself is "radical."

In a statement released June 7, Trump called Curiel's professional memberships into question but also announced he does not "intend to comment on this matter any further": "Due to what I believe are unfair and mistaken rulings in this case and the Judge's reported associations with certain professional organizations, questions were raised regarding the Obama appointed Judge's impartiality. It is a fair question. I hope it is not the case."]

The Pinocchio Test

It's time to drop this false accusation that Curiel is a member of a "radical" group that advocates for immigrant rights, or for legalization of undocumented immigrants. Trump's supporters continue to mischaracterize this group as either the same, or comparable, to a Hispanic civil rights group.

Yet Curiel is a member of the San Diego La Raza Lawyers Association, which is a professional organization for Latino lawyers. There's no evidence the organization is advocating for giving law scholarships to undocumented immigrants. And the new attack that the group lists the National Council of La Raza as a member of its "community" on its website is just a red herring that says nothing substantive about the lawyers group's activities or merits as a professional organization.

Four Pinocchios

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Former speaker of the House

"Criticizing the judge [Gonzalo Curiel] for his membership in a radical La Raza San Diego group would have been legitimate."

Interview with The Washington Post – Monday, June 6, 2016

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